

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASHLEY ADAMS	:	
716 North Barrett Lane	:	
Christiana, DE 19702	:	DISTRICT COURT
PLAINTIFF	:	
	:	
v.	:	No. 04-251 JJF
	:	
JO ELLEN CHAPEN SHELDON	:	
708 Pebble Beach Drive	:	
Elkton, MD 21921	:	TRIAL BY JURY DEMANDED
DEFENDANT	:	

ANSWER TO AMENDED COMPLAINT

1. The answering defendant is without knowledge or information sufficient to form a belief as to the truth of the averments set forth in this paragraph.
2. Denied.
3. Denied.
4. Denied.
5. This allegation requires no answer by defendant.
6. Denied.
7. Denied as stated. Admitted that on or about April 23, 2002, plaintiff, Ashley Adams, was traveling in a vehicle on Old Baltimore Pike, City of Newark, State of Delaware when she stopped for a traffic light. Admitted that there was contact between the front of a vehicle driven by Defendant JoEllen Chapen Sheldon and the rear of a vehicle driven by plaintiff. The remainder of the averments set forth in this paragraph are denied.

8. Denied.

9. (a) through (s) Denied.

10. Denied.

11. Denied.

12. Denied.

13. Denied.

14. Denied.

AFFIRMATIVE DEFENSES

15. Service of process is incomplete and improper.

16. The plaintiff's complaint fails to state a claim upon which relief may be granted.

17. The Court lacks personal jurisdiction.

18. The injuries alleged preexisted the incident alleged in plaintiff's complaint or are otherwise not related to the alleged incident.

19. The Court lacks jurisdiction pursuant to 28 U.S.C. §1332(a) as the matter in controversy does not exceed the value of \$75,000.00.

20. The Court lacks subject matter jurisdiction.

WHEREFORE, the defendant demands that the complaint be dismissed with costs assessed to the plaintiff.

/s/
BETH H. CHRISTMAN, ESQ.
Bar I.D. No. 2107
CASARINO, CHRISTMAN & SHALK, P.A.

800 N. King Street, Suite 200
P.O. Box 1276
Wilmington, DE 19899
Attorney for Defendant

DATE: May 4, 2005

CERTIFICATE OF SERVICE

I, BETH H. CHRISTMAN, ESQ., hereby certify that I have had served through CM/ECF U.S. District Court this 4th day of May _____, 2005, true and correct copies of the attached document, addressed to:

Charles S. Cooper, Esq.
Cooper & Schall, P.A.
1760 Market Street, Suite 1100
Philadelphia, PA 19103

Joseph Michael Jachetti, Esq.
Kenneth R. Schuster & Associates, P.C.
712 West Street
Wilmington, DE 19801-1524

/s/
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